

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|----------------------------------|---|------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | 8:05CR163 |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| JAZMIN CERNA, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on the motion of Deborah D. Cunningham to withdraw as counsel for defendant Jazmin Cerna (Filing No. 47). Ms. Cunningham seeks withdrawal since Cerna has not maintained contact with Ms. Cunningham. The court has issued a warrant for Jazmin Cerna's arrest for violation of her conditions of release (Filing No. 37). As such, Jazmin Cerna, is now a fugitive. However, Ms. Cunningham will remain as counsel for Jazmin Cerna in the event Cerna returns to federal custody. Ms. Cunningham's motion to withdraw (Filing No. 47) is denied, without prejudice.

IT IS SO ORDERED.

DATED this 31st day of May, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge